

AN ORDINANCE 101429

**AN ORDINANCE APPROVING THE FULL AND FINAL SETTLEMENT OF
THE ADMINISTRATIVE MATTER STYLED *CITY OF SAN ANTONIO V.
DEPARTMENT OF LABOR*, CASE NO. 2004-WTW-00003 IN THE AMOUNT
OF \$80,960.00**

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WHEREAS, In 1999, the City of San Antonio (CoSA) received a \$4.9 million Work to Welfare Grant from the U.S. Department of Labor (DoL); and

WHEREAS, The City of San Antonio (CoSA) subsequently entered into a Delegate Agency contract with the University of Kansas (UK) to provide technical expertise for the program, which contract was terminated in July, 2001; and

WHEREAS, In March 2004, DoL issued its final determination of an audit, disallowing \$143,653.00 of grant monies paid to UK and requested reimbursement of those funds by CoSA; and

WHEREAS, On appeal, DoL allowed \$62,693.00 of those funds to be allocated as stand in costs, seeking recovery of the \$80,960.00 balance, of which the interest will be waived if the funds are paid over a three year period. **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Full and final settlement of the lawsuit styled *City of San Antonio v Department of Labor*, Case No. 2004-WTW-00003 is hereby authorized.

SECTION 2. An initial payment of \$5,960.00 will made payable to the Department of Labor with three annual payments to be made thereafter in the amount of \$25,000.00 each, with no interest assessed, for a total amount of \$80,960.00 is authorized to be paid from Fund 75-001000, Insurance Reserve Fund, in G/L 5402530, entitled General Liability Claims, in Cost Center 1009020001, for settlement of all claims in Case No. 2004-WTW-00003.

SECTION 3. The release of payment of funds shall be contingent upon the execution of a Full and Final Release Agreement.

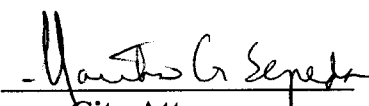
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 22nd day of September, 2005.

ATTEST: 
City Clerk


MAYOR
PHIL HARDBERGER

APPROVED AS TO FORM: 
City Attorney